

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRICKLAYERS' & ALLIED  
CRAFTWORKERS LOCAL #2 ALBANY,  
NY PENSION FUND, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

NEW ORIENTAL EDUCATION &  
TECHNOLOGY GROUP INC.,  
CHENGGANG ZHOU, MICHAEL  
MINHONG YU and ZHIHUI YANG,

Defendants.

Case No. 1:22-cv-01014-VM

NOTICE OF MOTION OF NENG GUO  
FOR CONSOLIDATION, APPOINTMENT  
AS LEAD PLAINTIFF, AND APPROVAL  
OF LEAD COUNSEL

ANDRES MIJARES-ORTEGA, Individually  
and on Behalf of All Others Similarly  
Situated,

Plaintiff,

v.

NEW ORIENTAL EDUCATION &  
TECHNOLOGY GROUP INC.,  
CHENGGANG ZHOU, MICHAEL  
MINHONG YU, and ZHIHUI YANG,

Defendants.

Case No. 1:22-cv-01876-VM

**TO: ALL PARTIES AND THEIR COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that Neng Guo (“Guo”), by and through his counsel, will and does hereby move this Court, pursuant to Section 21D(a)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), and Federal Rule of Civil Procedure 42, for an Order: (1) consolidating the above-captioned related actions (the “Related Actions”); (2) appointing Guo as Lead Plaintiff on behalf of all persons who purchased New Oriental Education & Technology Group Inc. American Depositary Shares between April 24, 2018 and July 22, 2021, both dates inclusive (the “Class”); and (3) approving proposed Lead Plaintiff’s selection of Pomerantz LLP as Lead Counsel for the Class.

Guo is aware of Rule II.A. of the Individual Practices of the Honorable Victor Marrero (“Rule II.A.”), which provides, in relevant part, that “[a] conference must be requested before filing any motion, except” certain enumerated motions not at issue here, and that “[a] party wishing to make a motion not excepted . . . should send a letter to the Court concisely describing the basis for the proposed motion and requesting a pre-motion conference.” Here, pursuant to the PSLRA, the deadline to file a motion for appointment as Lead Plaintiff in the Related Actions is April 5, 2022, on which date any member of the putative Class may so move. *See* 15 U.S.C. § 78u-4(a)(3)(A)(i)(II) & (a)(3)(B)(i)-(ii). Guo will thus not know the identities of the other putative Class members, if any, who intend to file competing Lead Plaintiff motions until April 6, 2022—the day after the statutory deadline—making a pre-motion conference with the Court and full compliance with Rule II.A. prior to the filing of Guo’s motion papers impracticable. Under these circumstances, Guo respectfully requests that compliance with Rule II.A. be waived in this instance.

Dated: April 5, 2022

Respectfully submitted,

POMERANTZ LLP

/s/ Jeremy A. Lieberman

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for the Class*